

GOAL: The goals of this element are to conserve and protect valuable coastal resources; maintain a healthy tourist economy; provide for public access to beaches and estuaries; reduce the potential threat to life and property resulting from coastal storms; limit public expenditures in coastal high hazard areas, and; to promote and further the policies and laws of the State relative to coastal resources.

QUALITY OF LIFE

Vision: We will have a safe, healthy and family oriented community with self-sufficient, involved people and appropriate infrastructure to enhance its beauty, natural resources and environment.

GENERAL STRATEGY

The general strategy for coastal management is to:

- Preserve those remaining coastal resources, such as coastal wetlands, living marine resources, coastal barriers and wildlife habitat and enforce regulations that ensure protection of these resources;
- Balance priorities for water dependent uses;
- Promote "eco-tourism";
- Continue a balanced program of regulations and infrastructure improvements so as to maintain or improve water quality, and;
- Support the recommendations in the Hazard Mitigation Strategy to further reduce the potential for damage resulting from coastal storms.

Objective 7.1: Protect, conserve, and enhance valuable coastal natural resources in the Coastal Planning Area through a balanced program of preservation (land acquisition), regulation, and capital improvements.

Public Purpose: Enhance quality of life for the tourists and residents of Bay County.

Performance Measure: Maintenance of high-quality coastal resources.

Policy 7.1.1: Comply with development provisions established in the Land Development Regulations for the Coastal Planning Area (Chapter 10, Section 1003.2 of the Bay County Land Development Regulations adopted September 21, 2004) which is hereby defined as all land and water areas seaward of the landward section line of those sections of land which contain the Category 5 hurricane evacuation zone.

Objective 7.2: Maintain or improve estuarine water quality by regulating sources of pollution and constructing capital improvements to reduce or eliminate known pollution sources.

Public Purpose: The pollution of the waters of Bay County constitutes a menace to public health and welfare; creates public nuisances; is harmful to wildlife and fish and other aquatic life; and impairs domestic, agricultural, industrial, recreational, and other beneficial uses of water [s.403.021, 187.201(9),373.016, F.S.].

Performance Measure: Regulation of potential sources of estuarine pollution.

Policy 7.2.1: The following measures will be taken to maintain or improve estuarine water quality:

- (1) Upgrading sewage treatment facilities to Advanced Wastewater Treatment (AWT) standards or greater.

Performance Measure: Completion of upgrade.

- (2) Requiring treatment of stormwater runoff and correcting existing stormwater deficiencies.

Performance Measure: Maintenance of stormwater treatment standards and improvement of existing stormwater facilities.

Performance Measure: Maintenance of a spill response plan.

- (3) Identifying areas with old or failing septic tanks and taking steps to provide central sewer.

Performance Measure: Replacement of old or failing septic tanks with central water and sewer.

- (4) Prevent the unauthorized obstruction of natural or man-made drainageways.

Performance Measure: Enforce regulations that prohibit unauthorized obstruction of drainageways in Land Development Regulations.

- (5) Coordinating with regulatory agencies having jurisdiction over dredge and fill activities toward ensuring that any such activities are conducted in an acceptable manner.

Performance Measure: Implement program to monitor dredge and fill activities using the County's GIS.

- (6) Restricting development activities that would result in the unmitigated degradation of coastal wetlands and/or seagrass beds.

Performance Measure: The enforcement of provisions in the Land Development Regulations that would restrict development causing degradation of coastal wetlands and/or seagrass beds.

Objective 7.3: Restrict development that will damage or destroy significant dunes (as defined at 62B-33.002(13), FAC) unless appropriate mitigation measures are undertaken.

Public Purpose: To protect coastal dune systems from the adverse effects of development [s.161.025, 187.201(9), F.S.].

Performance Measure: The extent to which dunes are preserved or restored.

Policy 7.3.1: Development in dune areas may be subject to special conditions as part of the development approval process.

Performance Measure: The extent to which areas containing significant dunes are preserved.

Policy 7.3.2: Where damage to dunes is unavoidable, the significant dunes must be restored and revegetated to at least pre-development conditions. Mitigation required as a result of a DEP Coastal Construction Permit shall be presumed to satisfy dune restoration requirements.

Policy 7.3.3: Require restoration of damaged beach and dune systems as part of new beachfront development projects.

Policy 7.3.4: Dune walkover structures are required as part of new beachfront development projects.

Performance Measure: Number of dune walkover structures installed.

Objective 7.4: Protect coastal resources from shoreline erosion and minimize the potential property damage caused by coastal storms.

Public Purpose: To minimize the potential for damage to the natural environment, private property, and life [s.161.53, 187.201(9), F.S.].

Policy 7.4.1: The County will continue to support beach renourishment and the dedicated source of funding which is intended to reduce storm damage and beach erosion.

Public Purpose: To minimize the potential for damage to the natural environment, private property, and life [s.161.53, 187.201(9), F.S.].

Performance Measure: Continued participation in the beach renourishment program.

Policy 7.4.2: Residential density in the Coastal Planning Area will be restricted to a maximum of 15 dwelling units per acre (15 du/acre) in areas where adequate infrastructure exists to accommodate that level of development.

Policy 7.4.3: All development undertaken seaward of the Coastal Construction Control Line (CCCL) shall be in strict compliance with Ch. 62B-33, FAC. Other development undertaken within 1500 feet of the CCCL must be undertaken in compliance with the Coastal Zone Protection Act (s.161.55, F.S.).

Objective 7.5: Restrict development in the Coastal High-Hazard Area (CHHA) and limit public expenditures that subsidize development within the CHHA. The CHHA is hereby defined as all land area below the elevation of the category 1 storm surge lines as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.

Public Purpose: Avoid the expenditure of public funds that subsidize development in coastal high-hazard areas [161.53, 187.201(9), F.S.].

Performance Measure: The extent to which density in the CHHA is limited to 15 du/acre or less or conforms with Section 163.3178(9)(a), Florida Statutes.

Policy 7.5.1: Public subsidy of infrastructure for development in the CHHA shall be limited to the demand that will result from build-out at 15 du/acre. This policy shall not preclude private investment for infrastructure in the CHHA.

Performance Measure: The extent to which new infrastructure is installed or constructed that acts as a subsidy for development in the CHHA. This shall be measured in terms of additional lane miles of road, expanded water or sewer lines, etc.

Policy 7.5.2: High-risk developments such as nursing homes, convalescent centers, hospitals, mobile home parks, subdivisions, or R/V parks shall not be located in the CHHA.

Policy 7.5.3: Use local, State, and Federal funds as may be available to purchase or lease large tracts of undeveloped land in the CHHA so as to reduce the development potential of these areas.

Policy 7.5.4: The County shall not accept dedications of roads, water and sewer facilities, or other public facilities in the CHHA unless specifically provided for in an enforceable development agreement.

Policy 7.5.5: Any Comprehensive Plan FLUM amendment that would allow an increase in residential density in the CHHA beyond that which is currently permitted must comply with Section 163.3178(9)(a), Florida Statutes.

Objective 7.6: By 2010, the County will prepare a Post Disaster Redevelopment component of the Bay County Local Hazard Mitigation Strategy.

Public Purpose: To minimize damage to the natural environment, private property, and life (s.161.53, F.S.).

Performance Measure: The extent to which the Local Hazard Mitigation Strategy is used to reduce the exposure of life and property from the threat of coastal storms.

Policy 7.6.1: The Bay County Local Hazard Mitigation Strategy will be used as the basis for additional regulations governing building practices, flood zone management, retrofitting existing buildings, and other post disaster redevelopment measures considered necessary to protect life and reduce property damage caused by coastal storms.

Objective 7.7: Increase dedicated public beachfront and shoreline access including adequate parking areas.

Public Purpose: Ensure the public's right to reasonable access to beaches [s.187.201(9), F.S.].

Performance Measure: Number of dedicated beachfront or shoreline public access sites added to the County inventory during the planning timeframe.

Policy 7.7.1: The County will continue to identify and acquire sites that are suitable for public beach and shoreline access with emphasis on those sites that can accommodate adequate vehicular parking.

Policy 7.7.2: The County will continue to apply for external funds such as grants, loans, appropriations or other sources to assist in the acquisition and development of public access sites.

Performance Measure: Amount of external funds captured to provide additional beach/shoreline access.

Policy 7.7.3: Where possible the County will provide joint use sites such as park/boat launch combination sites.

Policy 7.7.4: The County shall not abandon or otherwise relinquish control of any beach or shoreline waterfront access unless equivalent or improved access is provided.

Objective 7.8: Maintain development review procedures that will promote the protection of coastal historic resources.

Public Purpose: To protect and preserve valuable historic and/or archaeological resources [s.187.201(19),267,061, F.S.].

Performance Measure: Number of historic resources identified and preserved.

Policy 7.8.1: The County will use the State Master Site File to identify those areas where historic resources may be present. Developers of property within these areas must either demonstrate that no such historic resources are present or provide a protection plan to show how historic resources will be preserved, protected or re-used.

Objective 7.9: Maintain criteria for the siting of shoreline land uses.

Public Purpose: Encourage land and water uses which are compatible with the protection of coastal resources [s.187.201(19), F.S.].

Performance Measure: Number, type, and location of shoreline land uses sited.

Policy 7.9.1: Priority for siting of shoreline land uses shall be as follows:

- (1) Conservation or Recreation;
- (2) Water-dependent Commercial/Industrial;
- (3) Water-related Commercial/Industrial;
- (4) Other.

Policy 7.9.2: Water-dependent commercial/industrial uses shall be prioritized as follows:

- (1) Public use marinas;
- (2) Water dependent utilities;
- (3) Water dependent industries and associated docking facilities;
- (4) Docking facilities for water dependent industry.

Policy 7.9.3: All new or redeveloped shoreline land uses shall:

- (1) Locate on existing upland areas;
- (2) Be constructed to conform to coastal construction building codes;
- (3) Be constructed consistent with the standards of Chapter 161.052, Florida Statutes;

- (4) Demonstrate that existing public utilities, infrastructure and services are in place to support the proposed use;
- (5) Not be in conflict with existing, conforming, adjacent land uses;
- (6) Provide public access where traditional public access points are directly affected by the development;
- (7) Landscape using plant species that are native to the coastal areas of Bay County as referenced in the Land Development Regulations Landscaping Appendix.
- (8) Provide for the treatment of all discharge, including stormwater run-off, into bodies of water to incorporate standards for treatment adequate to meet the requirements of 62-25, Florida Administrative Code; and,
- (9) Restrict impervious surface coverage consistent with standards adopted in the Land Development Regulations.

Policy 7.9.4: All new, expanded or redeveloped marinas shall:

- (1) Demonstrate the presence of upland areas which are large enough to accommodate all required utility and support facilities as well as enough parking to satisfy parking standards set forth in the Land Use Code;
- (2) Provide public access;
- (3) Lie outside areas identified as inappropriate for marina development in the Marina Siting Study for West Florida (West Florida Regional Planning Council; June 1984) unless mitigating actions are taken recreating disturbed wetlands, seagrass beds, oyster reefs, other marine nursery areas, or other habitats on at least a one-to-one basis;
- (4) Demonstrate spill cleanup capability within the boundaries of the leased area;
- (5) Provide a hurricane mitigation and evacuation plan;
- (6) Designate future upland spoil site(s) for maintenance dredging activities;
- (7) Be located in proximity to natural channels so that minimum or no dredging shall be required for provision of docking facilities;
- (8) Have available sewage treatment facilities to serve the anticipated volume of waste at the level of service standard consistent with that described in Wastewater Sub-Element. Marinas with fueling facilities will provide pump-

out facilities at each fuel dock. Commercial marinas and those with live-aboard overnight transient traffic shall provide upland sewage facilities and prohibit inappropriate sewage pump out;

- (9) Maintain water quality standards as provided by Chapter 403, Florida Statutes;
- (10) Locate in areas having adequate water depth to accommodate the proposed boat use without disturbance of bottom habitats;
- (11) Delineate immediate access points with channel markers that indicate speed limits and any other applicable regulations;
- (12) Be sited in areas designated for commercial or recreational uses on the Future Land Use Map;
- (13) Locate in areas away from seagrass beds, oyster reefs and other important fish and shellfish spawning and nursery areas;
- (14) Demonstrate that it meets a public need thereby demonstrating economic viability/feasibility.

Objective 7.10: Development or redevelopment in the coastal area shall occur only if adequate infrastructure to maintain the adopted levels of service are in place by the time of project completion to serve the proposed development.

Public Purpose: Promote development and redevelopment activities which encourage efficient development and occur in areas which will have the capacity to service new population and commerce [s.187.201(16), F.S.].

Performance Measure: Maintenance of LOS standards for infrastructure in the coastal area.

Policy 7.10.1: Coastal area levels of service shall be consistent with those adopted in the Capital Improvements Element.

Policy 7.10.2: Capacity of public Infrastructure shall not be increased on Coastal Barrier Resources consistent with the Coastal Barrier Resources Act (U.S. Code, Title 16, Chapter 55).

Performance Measure: Any increase in infrastructure capacity within CBRA areas.

Policy 7.10.3: Establish, in cooperation with existing water and sewer service providers, current and future service areas consistent with adopted level of service standards.

Performance Measure: The extent to which service areas are established.

Policy 7.10.4: Development approvals for projects for which adequate sewer capacity is not available prior to development completion shall be conditioned upon provision of domestic waste treatment facilities which meet Florida Department of Environmental Regulation standards. The development shall be required to connect to central sewer service within one year of availability.

Performance Measure: Number of projects permitted.

Policy 7.10.5: Coordinate with service providers to determine necessary system improvements and phasing of those improvements to serve the uses and densities proposed in the Future Land Use Element and maintain adopted levels of service.

Performance Measure: The extent to which services are provided to serve new development.

Policy 7.10.6: Maintain an inventory of local roadways in the unincorporated coastal area that indicates current condition; proposed, prioritized improvements; and funding sources for inclusion in the Capital Improvements Element.

Performance Measure: Whether or not a roadway inventory is completed, and improvements identified and funded.

Objective 7.11: Identify and give priority to highway improvement projects that will improve evacuation clearance times.

Public Purpose: Prepare advance plans for the safe evacuation of coastal residents [s.187.201(7), F.S.].

Policy 7.11.1: All major evacuation routes leading out of Bay County are part of the State Highway System. In this regard, the County will work through the TPO to identify and fund highway projects or procedures that will improve evacuation clearance times.

Objective 7.12: The County shall protect barrier islands by maintaining the Transfer of Development Rights policies for Shell Island.

Policy 7.12.1: Transfer of Development Rights for Shell Island. Bay County shall implement a Transfer of Development Rights (TDR) program for Shell Island designed to protect environmentally sensitive land, including endangered or threatened or listed plants and animals, and minimize damage to persons and private property from floods, storms and hurricanes.

Public Purpose: To protect the natural resources and minimize damage to persons and private property on Shell Island.

Performance Measure: Number of lots on Shell Island retained as undeveloped property

Policy 7.12.2: The Transfer of Development Rights Program shall:

- (1) Designate Shell Island as a sending area.
- (2) Assign transferable development rights for parcels within the sending area on equitable bases, including the parcel's location, development potential, fair market value, and value to the community. A transfer of units shall be at a minimum of 1 unit per parcel and a maximum of 10 units per parcel. Assignable development rights may also include such other development rights as intensity, setback, lot size, and building height.
- (3) Delineate specific receiving areas within unincorporated Bay County and designate appropriate transferable development rights that may be received from Shell Island within each receiving area that may increase maximum allowable density, intensity, bulk and building height. All potential receiving areas shall be inside the Urban Service Area. The determination of the appropriate increase in development rights through the use of TDRs shall also be based upon location, compatibility with the surrounding land uses, and consistency with County Goals, Objectives and Policies.
- (4) Establish additional incentives to encourage the transfer of private property rights on Shell Island to the public.
- (5) Ensure that development rights of the parcels are fully relinquished with the transfer of TDRs through the use of conservation easements, donation of property to the State of Florida, or other means that will guarantee the parcel will remain undeveloped in perpetuity; and
- (6) Ensure that public access to parcels after the TDR process is provided.
- (7) Define administrative and legal requirements for the transfer of TDRs, including notification to the Property Appraiser's office and recordation in the public records.
- (8) Dwelling units are prohibited on Shell Island. The construction of any structures on Shell Island is limited to those deemed necessary for recreational or conservation purposes.

Policy 7.12.3 The County shall not approve the designation of receiving areas which would result in an incompatibility with the surrounding land uses (both

existing and future), nor shall the TDR Program increase residential densities in coastal high hazard areas.

Policy 7.12.4: The County may create and maintain a Transfer of Development Rights (TDR) Bank for parcels that it may acquire on Shell Island. The administrative and legal requirements for the TDR Bank shall be outlined in the TDR Program. The value of the County's TDRs shall be established by the Board of County Commissioners. The price will be updated annually and shall be based utilizing the value of TDR established by transactions in the private market or a recommendation by the Planning Division.